

# HIOSH ADVISORY COMMITTEE MINUTES

## Committee Meeting

March 25, 2010 1:00 PM to 3:05 PM

Department of Labor and Industrial Relations / 830 Punchbowl Street / HIOSH Training Room 427

### Members Present:

Lawrence Akina (Hawaii Teamsters, Local 996), Robert Aquino (Hawaii Electricians Training Fund), Tristan Aldeguer (Dick Pacific Construction Co., Ltd.), Ruth Amancio, (General Contractors Association), Chuck Beneke (Covanta), D. Lewis Boucher (Hawaiian Dredging), Lani Bjork (Hilton Hawaiian Village Hotel), Richard Botti (Legislative Information Service of Hawaii), Reynard Burgess (Parsons), Delbert DeRego (ILWU Local 142, Maui Division), Joaquin Diaz (Hawaiian Dredging), Clifford Higa (Safety Systems Hawaii), Clayton Kamida (Hawaii Employers' Council), Janelle Kanuha-Marshall (Marine Corps Community Service), Charles Kelley (Outrigger Enterprises, Inc.), Paul King (Actus Lend Lease, LLC), Jon Kumashiro (Department of Human Resources Development), James Newberry (American Society of Safety Engineers), Joseph O'Donnell (Ironworkers, Local 625), Les Onaka (American Society of Safety Engineers), Michael Redman (HEMIC), Gareth Sakakida (Hawaii Transportation Association), Clifford Uwayne (United Public Workers), Daniel Vasilash (General Contractors Association of Hawaii), Thomas Vendetta (ISWC Division, C&C), Richard Vieira (Hawaii Painter's Union), James Zane (McCabe, Hamilton & Renny Co., Ltd.)

### Members Excused:

SeaRay Beltran (County of Maui), Paul Chang (Hawaii Carpenters Union, Local 745), Joseph Ferrara (Associated Builders and Contractors), Timothy Lyons (Hawaii Business League), Hans Nielsen (University of Hawaii), Jim Peck (American Industrial Hygiene Association), Sharlyn Sato (Airgas Gaspro), Antoinette Waikiki (Operating Engineers, Local 3), Shelley Wheeling-Park (Kaiser Permanente of Hawaii)

### Presenters:

### DLIR Staff:

Darwin L.D. Ching, Director of Labor and Industrial Relations; Jamesner Dumlao, HIOSH Operations Manager; Jennifer Shishido, Director's Office; Ellen Kondo, Consultation and Training Branch; Deirdre Yamasaki, HIOSH (Recorder)

### Guests (Public):

Sonny Ahuna, Mary Browne, Walter Chun, Joanna Clark, Dan Cunningham, Daryl Huff, Daniel Kau, Lucia Indelicato, Catheryn McLarin, Jerome Mester, Craig Shoji, Raymond Welch

Agenda	Discussion	Decision and/or Outcome
Call to Order	<b>Welcome and Introduction</b> Mr. Reynard Burgess welcomed members of the HIOSH Advisory Committee.	
Roll Call	Roll call was taken. A quorum was present.	
Minutes	A motion was made to approve the November 19, 2009 minutes.	November 19, 2009 minutes were approved.

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<b>Information From HIOSH to the HIOSH Advisory Committee</b>		
<b>Director's Comments</b>	<ul style="list-style-type: none"> <li>Due to numerous fall accidents this year, HIOSH will be reviving the tie-off campaign with radio spots and videos online. Mentioning the HIOSH Advisory Committee has been added at the end of the radio spots and videos.</li> <li>Suggestion was made to approach insurance companies to help spread the word by adding a blurb "tie-off it's your life" at the end of their advertisements.</li> <li>Suggestion was made to use Facebook, Twitter, and youtube to help spread the word.</li> <li>Due to budget cuts, HIOSH is unable to make the community safer by itself. HIOSH would like assistance from the HIOSH Advisory Committee by forming a committee to help with this.</li> <li>Suggestion was made to have a representative attend the Hawaii Safety Alliance meetings.</li> </ul>	Instead of creating a new committee, the Training Subcommittee will partner with HIOSH to make the community safer. Mr. Joaquin Diaz, the chair of the committee, will attend the Hawaii Safety Alliance meetings.
<b>Visit With Mr. Ken Atha</b>	<ul style="list-style-type: none"> <li>On approximately December 17, 2009, some members of the HIOSH Advisory Committee had the opportunity to meet informally with Mr. Ken Atha, the regional administrator of Region IX.</li> <li>Members were informed at the meeting that the federal government supports HIOSH and will work with the State to keep it running. The federal government does not want to fund HIOSH federally and wants to keep HIOSH as a state program.</li> <li>At the Governor's Biennial Pacific Rim conference, HIOSH will set up a formal meeting for all members to meet with Mr. Atha.</li> <li>A Complaint Against the State Plan State (CASPA) has been filed. HIOSH will provide a response. More information will be available after the CASPA is finalized.</li> </ul>	
<b>Legislative Update</b>	<ul style="list-style-type: none"> <li>The House budget which went through did not cut HIOSH. The budget left HIOSH intact and provided some positions. The Senate's version will be out next week. Last year, the Senate proposed to wipe HIOSH out and HIOSH needed the HIOSH Advisory Committee's support. HIOSH will inform the HIOSH Advisory Committee if their support is needed again.</li> <li>The Department of Labor and Industrial Relations submitted testimony for House Resolution 84 and House Concurrent Resolution 145 entitled Urging the Department of Labor and Industrial Relations to Meet or Exceed Occupational Safety and Health Administration Position Benchmarks for Workplace Safety and Health. The testimony consisted of the background on HIOSH's benchmarks. The last time benchmarks were set were in 1980.</li> <li>HIOSH is currently engaged in discussion with region of whether nine safety inspectors and nine health inspectors are what is needed in Hawaii for coverage.</li> </ul>	

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<b>Legislative Update</b>	<ul style="list-style-type: none"> <li>The testimony also explained how in the past, positions could not be filled because of the disparity in pay between State government and the private sector and, currently, HIOSH does not have funds to fill the positions.</li> <li>HIOSH went to a hearing and submitted testimony for House Concurrent Resolution 102. House Concurrent Resolution 102 expresses support for enforcement of existing OSHA regulations on the use of hexavalent chromium and urging OSHA to develop safer alternatives and add hexavalent chromium.               <ul style="list-style-type: none"> <li>The resolution asserted that there was not an enforcement mechanism for hexavalent chromium. This is inaccurate. HIOSH provided the OSHA PEL and background and history.</li> <li>The resolution endorsed a particular process a trivalent chromium processor as a safer alternative to hexavalent chromium. Since the resolution consisted of only three pages, HIOSH did not seem to be presented with the evidence. HIOSH offered comments which hopefully will broaden their perspective and take into consideration.</li> <li>The resolution urged OSHA to develop and promote the use of safer alternatives. HIOSH acknowledged their role to promote safety but also felt the need to have the industry at the table to discuss what are safer alternatives. Mr. Chuck Beneke and Mr. Gordon Yamamoto are resources to consult.</li> </ul> </li> </ul>	
<b>Report on Accidents, Fatalities, and Significant Cases</b>	<ul style="list-style-type: none"> <li>Presentation was given summarizing the increased number in accidents from 2004 to present.</li> <li>For Fiscal Year 2010, there have been 10 total accidents (4 fatalities and 6 hospitalizations).</li> <li>7 of the accidents were falls.</li> <li>60% of the accidents (all falls) were in the construction industry.</li> <li>It was requested that a report from HIOSH be prepared comparing the number of accidents last reported against the current numbers being reported.</li> <li>Request was made that the fatal facts be updated on HIOSH's website.</li> <li>Due to budget cuts, HIOSH enforcement is not the way it used to be 15 to 20 years ago. Small companies are aware of this and, due to the economy, are willing to take the risk of not being inspected.</li> </ul>	
<b>Injury and Illness Record Keeping National Emphasis Program</b>	<ul style="list-style-type: none"> <li>On February 2, 2010, HIOSH staff attended the Injury and Illness Recordkeeping National Emphasis Program webinar training.</li> <li>HIOSH is in the process of formally adopting the program.</li> </ul>	

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<b>Injury and Illness Record Keeping National Emphasis Program</b>	<ul style="list-style-type: none"> <li>The purpose of the program is to find recordkeeping violations and gather information that affects accurate recordkeeping. The data will help direct HIOSH's resources.</li> <li>The emphasis program will focus on specific industries based on highest DART rates in the private industry in 2007. The list includes couriers, nursing care facilities, and refrigerated warehousing and storage.</li> <li>Mr. James Newberry will post on ASSE's website recent information relating to this issue. Mr. Newberry can post any additional information anyone has.</li> </ul>	
<b>Hexavalent Chromium National Emphasis Program</b>	<ul style="list-style-type: none"> <li>HIOSH will be adopting this emphasis program.</li> <li>The primary occupational health effect associated with hexavalent chromium compounds is an increased risk of lung cancer from inhalation exposures.</li> <li>There are other health effects associated with the exposure of Chromium VI. These include asthmas, allergic and irritant contact dermatitis, nasal and skin ulcerations, and eye irritation.</li> <li>Hexavalent chromium compounds in industrial use chromate pigments in dyes, paints, inks, and plastics; chromates added as anticorrosive agents to paints, primers, and other surface coatings; and chromic acid used to electroplate chromium onto metal parts to provide a decorative or protective coating.</li> <li>Hexavalent chromium can also be formed during "hot work," such as the welding, brazing, and cutting of stainless steel or other chromium-containing metals and the melting of chromium metal.</li> <li>Industries where overexposure to hexavalent chromium are known to occur are electroplating, painting (general industry), metal plating and finishing, electroplating, polishing anodizing and coloring.</li> <li>Work activities in construction likely to result in elevated exposures to hexavalent chromium are painting and surface preparation (abrasive blasting), and welding and thermal cutting..</li> </ul>	
<b>Joint Projects Between HIOSH and the HIOSH Advisory Committee</b>		
<b>Governor's Pacific Rim Conference 2010</b>	<ul style="list-style-type: none"> <li>Currently, registration is a little slow. Registration can be completed by going to ASSE's website or University of Hawaii's website.</li> <li>A three-day registration can be shared among three employees.</li> <li>Another than HIOSH's letter to employers, no one has seen any emails or invitations regarding the 2010 Governor's Biennial Pacific Rim conference.</li> <li>On Thursday, there will be exhibits open to the public.</li> <li>Flyers were available for members at the meeting.</li> </ul>	

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<b>Old Business</b>		
<b>VPP and SHARP</b>	<ul style="list-style-type: none"> <li>Next week, Mr. Beneke will be attending the VPPA conference in New Port Beach. Region IX sent Mr. Beneke a petition to restore VPP funding for fiscal year 2011. Anyone interested can sign the petition. Mr. Beneke will take the petition with him to the conference.</li> <li>Mr. Beneke, Mr. Burgess and others are trying to help small companies with their safety program. Some small businesses are not interested because there is no incentive for them.</li> <li>Due to budget cuts, Consultation and Training consists only of one consultant, Mr. Keith Tsubata, and a working supervisor, Ms. Ellen Kondo. HIOSH is trying to fill Mr. Greg Thorp's position.</li> </ul>	
<b>Information From the HIOSH Advisory Committee to HIOSH</b>		
<b>Training Subcommittee Report</b>	<ul style="list-style-type: none"> <li>Due to no enrollment, OSHA Training Institute (OTI) classes were cancelled.</li> <li>HIOSH staff is welcome to attend the OTI classes at no cost.</li> <li>General industry classes will be coming out in two weeks.</li> <li>The 511 class which is a prerequisite to the 501 was just finished.</li> <li>Mr. Diaz, the chair of the subcommittee, thank the 16 volunteers that signed on to help with the training subcommittee.</li> </ul>	
<b>Operating Guidelines Subcommittee Report</b>	<ul style="list-style-type: none"> <li>The operating guidelines were reviewed and updated last year.</li> <li>The only open item was attendance. Although it does not seem to be a problem these days, there are two people who are consistently not showing up. Letters to Kaiser Permanente of Hawaii and Associated Builders and Contractors will be sent.</li> </ul>	
<b>Around-the-Table Comments</b>	<ul style="list-style-type: none"> <li>Mr. James Newberry informed that things are going well for awards subcommittee for the 2010 Governor's Biennial Pacific Rim conference.</li> <li>Mr. Zane informed that VPP and SHARP certification means a lot to medium-sized and large construction companies since bigger general contractors now take a look at companies' safety backgrounds. On the economic side, he hopes HIOSH will ensure appropriate staffing to ensure VPP and SHARP certifications.</li> <li>Mr. Zane requested HIOSH to contact the Hawaii Transportation Association since they are putting together a presentation for their members relating to OSHA requirements specifically within their industry.</li> <li>Dr. Charles Kelley thanked everyone for a well rounded and informative meeting.</li> </ul>	

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<p><b>Around-the-Table Comments</b></p>	<ul style="list-style-type: none"> <li>• Mr. Les Onaka informed that the cost to attend the 2010 Governor's Biennial Pacific Rim conference is much less than the cost of an injury.</li> <li>• Mr. Tristan Aldeguer thank everyone who is taking the lead on the media outreach. Hopefully, the outreach can help break the cycle.</li> <li>• Mr. Lewis Boucher requested if anyone was interested in volunteering in their elementary school outreach program. The committee will try to do as many presentations in the schools before the 2010 Governor's Biennial Pacific Rim conference. After the conference, the committee will see if any improvements need to be made to their program. Director Ching requested if Mr. Boucher could contact Mr. Dumlao the next time the program goes to the school so that HIOSH can make a video and post it on their website.</li> <li>• Ms. Janelle Kanuha-Marshall notified that the Marine Corp Base Kaneohe and the Marine Corp Community Services are going through the VPP process. In July, OSHA inspectors will be visiting the base. Hopefully, they will get certified.</li> <li>• Mr. Richard Botti would like more information on the serious accidents, especially the forklift. He is doing a human interest story that leads to a lesson. It was suggested that he talk with Mr. Adeguer, Mr. Dumlao and Mr. Diaz.</li> <li>• Mr. Clifford Higa informed that Safety Systems Hawaii will be putting on a free anchor point installation class the beginning of April. Information about the class will be posted on their website. Safety Systems Hawaii will also have a booth at the 2010 Governor's Biennial Pacific Rim conference. Director Ching requested if Mr. Higa could contact Mr. Dumlao to make arrangements to tape the anchor point installation class so the video can be made available on HIOSH's website.</li> <li>• Mr. Vierra informed that several years ago, the Hawaii Painters' Union made fall protection annual training a requirement for all of their members. They also have for all members ID cards which includes their picture and all their training records.</li> <li>• Mr. O'Donnell informed that about 14 months ago, the Ironworkers Union purchased full body harnesses for all their members. They also flew in the manufacturer's representative to make sure that everybody had the proper training. He also commented that he would like the chair to address the concern regarding the attendance of the representative of the Associated Builders and Contractors at the HIOSH Advisory Committee meetings.</li> <li>• Mr. Beneke would like to help the community be safer by using VPP and SHARP rather than strickly enforcement.</li> </ul>	

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<b>Around-the-Table Comments</b>	<ul style="list-style-type: none"><li>Since workers of small business owners who are willing to risk penalties may get the wrong message, Mr. Daniel Vasilash wanted to remind everyone that to make sure they are doing their part to get the message that we want the people to follow the training that they conducted.</li></ul>	
<b>Public Comment</b>	<ul style="list-style-type: none"><li>Mr. Walter Chun inquired about the CASPA.</li><li>Mr. Raymond Welch commented that HIOSH will get better reception from the community if they use VPP rather than enforcement.</li></ul>	
<b>Next Meeting</b>		May 20, 2010, 1:00 p.m. – 3:00 p.m., HIOSH Training Room 427

Respectfully submitted,

Approved:

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Deirdre Yamasaki  
Department of Labor and Industrial Relations/HIOSH

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Mr. Reynard Burgess, Chair  
HIOSH Advisory Committee